REMARKS

This Application has been carefully reviewed in light of the Office Action mailed October 28, 2003. Claims 29-48 were pending in the Application. In the Office Action, Claims 29-48 were rejected. In order to expedite and advance the prosecution of the present Application and, further, place the claims in condition for appeal, Applicants amend Claims 29, 36 and 42. Thus, Claims 29-48 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 103 REJECTIONS

The Examiner rejected Claims 29-48 under 35 U.S.C. §103(a) as being unpatentable in view of U.S. Patent No. 6,052,669 issued to Smith et al. (hereinafter "*Smith*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Independent Claim 29, as amended, is directed to a computer-implemented ordering system reciting "a presentation module adapted to provide a real-time preview representation of the consumer item <u>updated</u> with the option <u>in response to a user clicklessly positioning a cursor over an icon</u> corresponding to the option." (emphasis added). Additionally, Independent Claim 36, as amended, recites "providing a real-time preview representation . . . <u>updated</u> with the option <u>in response to a user clicklessly positioning a cursor over an icon corresponding to the option</u>," and independent Claim 42, as amended, recites "means for providing a real-time preview representation . . . <u>updated</u> with the option <u>in response to a user clicklessly positioning a cursor over an icon corresponding to the option</u>." (emphasis added). *Smith* discloses that "[b]y selecting the new typical icon, the user is able to select a typical workstation configuration," and "[w]hen the user selects the new typical icon a graphical depiction of various typical workstation configurations is displayed on the screen." (*Smith*, col. 9, lines 9-14). *Smith* also discloses that "[t]he user can <u>select</u> one of the displayed typical workstation configurations <u>by clicking on it</u> with the pointer device." (*Smith*, col. 9, lines 20-21)(emphasis added). Further, *Smith* discloses that "[w]hile viewing a configuration, the user can select product options," and, "[i]n order to pick product options, the user points <u>and</u> <u>clicks the pointer device</u> on the select material icon on the screen." (*Smith*, col. 9, lines 53-

56)(emphasis added). Thus, visual updates to a product corresponding to a product option in *Smith* occur only in response to "click[ing] the pointer device" on an icon. (*Smith*, col. 9, lines 53-56). This process of providing a visual update in *Smith* is not a preview as recited in the pending claims. Rather, it is an update that must be undone if the user decides against the option once updated. In contrast, amended Claims 29, 36 and 42 recite that a preview representation is updated "in response to a user <u>clicklessly</u> positioning a cursor <u>over an icon</u>." (emphasis added). This preview update is only made so long as the cursor is clicklessly positioned over an icon representing the option. It provides the user with the opportunity to assess the update to the product without having to undo it if the user decides based on the preview not to choose the option. In this way, the user may preview the product as currently configured with a number of possible options without having to choose the option, and then undo it to evaluate a different option. Thus, according to amended Claims 29, 36 and 42, the preview representation is updated with a product option <u>without requiring the user to click on an icon</u>. Therefore, Applicants respectfully submit that *Smith* does not disclose, teach or suggest the limitations of independent Claims 29, 36 and 42 as amended. Applicants respectfully request allowance of independent Claims 29, 36 and 42.

Claims 30-35 depend from independent Claim 29, Claims 37-41 depend from independent Claim 36, and Claims 33-48 depend from independent Claim 42. Because independent Claims 29, 36 and 42 are in condition for allowance, Claims 30-35, 37-41 and 33-48 are also allowable, and Applicants respectfully request allowance of Claims 30-35, 37-41 and 33-48.

In the Office Action, the Examiner states that "updating images in response to a user rolling a cursor over an icon is common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of updating the image in response to a user rolling a cursor over an icon because it is more convenient to the user." (Office Action, page 3). The Examiner cites no proper prior art references to support this statement and, therefore, this statement merely begs the question and offers none of the required showings to establish a *prima facie* case of unpatentability under 35 U.S.C § 103(a). Further, if the Examiner is relying on personal knowledge to reject Claims 29-48 of the present Application, Applicants respectfully request the Examiner provide an affidavit supporting such personal knowledge pursuant to 37 C.F.R § 1.107(b).

CONCLUSION

Applicants respectfully submit that Claims 29-48 are allowable over the cited art of record. Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

A fee of $770.00 is authorized to be charged to Deposit Account No. 08-2025 of Hewlett-Packard Company for the filing of this RCE. If Applicant has miscalculated the fee due with this RCE, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this RCE to Deposit Account No. 08-2025.

Respectfully submitted,

Date: _/2 -/8-03_

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